

REMARKS

Claims 1, 3-8, 10-13, and 15-20 are pending in the application and the same are rejected. Claims 1, 3-8, 10-13, and 15-20 remain in the application and are presented for review and further consideration by the Examiner.

The Examiner has rejected claims 1, 3-6, 8, 10-11, 13, 15-19 under 35 U.S.C. §102(e) as being anticipated by Toyoda, et al., U.S. Patent No.6,229,884. (Examiner's Action, page 2, ¶ 4).

Applicants respectfully disagree.

Toyoda discloses an electronic mail system wherein when a failure in the transmission of an email from the electronic mail system occurs, an email representing the transmission failure is received by the computer sending the email (Toyoda, col. 2, lines 6-12 and col. 10, lines 26-29). Toyoda does not define how the failure is detected. However, Toyoda does note that an error occurs when received data does not agree with image data for an email format (col. 7, lines 39-56 and col. 22, lines 16-33). Clearly comparing received data with image data is not the same as examining a storage device for electronic data derived from optically scanning a document. Nowhere does Toyoda disclose or suggest detecting a failure in the complete transmission of electronic data to an e-mail server by examining a storage device for electronic data derived from optically scanning a document, after an interruption in electrical power.

In contrast, Applicants' independent claims 1, 8, and 13 include wording that a failure is detected in the complete transmission of electronic data to the e-mail server by examining a storage device for electronic data derived from optically scanning a document, after an interruption in electrical power. Toyoda does not disclose this limitation.

The Examiner has rejected claims 7, 12 and 20 under 35 U.S.C. §103(a) as being unpatentable over Toyoda, et al., U.S. Patent No. 6,229,884 in view of Rigaldies, et al., U.S. Patent No. 6,792,085. (Examiner's Action, page 4, ¶ 6).

{ Applicants respectfully disagree.

In view of Applicants' arguments and amendments with respect to independent claims 1, 8, and 15 being allowable, Applicants respectfully submit that the remaining dependent claims are also allowable because they contain all of the limitations of their respective independent claims and further add structural and functional limitations.

The foregoing arguments are believed to be a complete response to the most recent Examiner's Action.

No new matter has been added.

It is respectfully submitted that there is no claim, teaching, motivation, or suggestion in any of the prior art cited, alone or in combination, to produce what Applicants claim.

It is further submitted that the application, as amended, defines patentable subject matter and that the claims are in a condition for allowance. Such allowance at an early date is respectfully requested.

Should any issues remain which would preclude the prompt disposition of this case, it is requested that the Examiner contact the undersigned practitioner by telephone.

Respectfully submitted,
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By 
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